

Instructions for Extreme Risk Protection Order

This is the Final Extreme Risk Protection Order. If signed by the judge, this order will tell the respondent:

- To immediately surrender all firearms and any concealed pistol license; and
- Not to have, control, purchase or attempt to have or purchase a firearm while the order is in effect
- The order is effective for one year.

The clerk will file the original order in the public court record and distribute copies for:

- You (free certified copies).
- Law enforcement, to enter into the statewide database.
- Service on the respondent.

Please check with the court clerk before filling out the order.

In some courts, the judge will fill out this order. In other courts, you will be expected to fill out the order. Please check with the court clerk.

If you are expected to fill out the form, follow the instructions below.

Print Clearly Using Black or Blue Ink!

Page 1, top of the form

- You are the “Petitioner.”
 - If you are filing as a law enforcement agency, fill in the name of the police department or sheriff’s office for whom you work.
 - If you are filing for yourself, fill in your name (first, middle initial, last).
- The person against whom you are filing is the “Respondent.” Fill in the respondent's name (first, middle initial, last) and date of birth.

Renewal

- If you are filling out the first Extreme Risk Protection Order, leave the check box blank.
- If the court already issued an Extreme Risk Protection Order and you asked the court to renew it, check the box.

Next Hearing Date

There will be a future hearing date set so the court can check court records or take testimony to ensure the respondent is complying with this order. The judge or court clerk will write in the next hearing date, time, and place on the first page of the order. The hearing will be no later than 3 court days after the court signs the order. You may attend this hearing. If you have factual information that the

respondent has or has not complied with the order, you may ask the court to testify or you may file a declaration with the court before the hearing.

Respondent's Identifiers

- Describe the respondent's physical appearance: sex/gender, race, hair color, height, weight, and eye color.
- List any of respondent's distinguishing features, such as moles, scars, or tattoos.

Page 1, Respondent (below this heading)

Write in the name of the law enforcement agency to whom the respondent must deliver the concealed pistol license and weapons. It will usually be the police department or sheriff's office nearest the respondent's home or where the weapons are located.

Page 2, Respondent (table below this heading)

In the table, list any firearms that you know belong to or are in the possession of the respondent. If the respondent has a concealed pistol license, list it too. If you can identify more weapons than will fit in the table, attach a list of those firearms to this order.

Pages 2 and 3, Table with Notice, Reasonable Cause, list of check box items "a" through "p," and Evaluation

1. Notice: check the box to show how the respondent received notice of the hearing.
2. Reasonable Cause: there is a list of the types of evidence that the court might find are reasons to believe that, in the near future, the respondent poses a significant danger of causing personal injury to himself, herself, or to others.

Check all the boxes that you believe apply. After the hearing, the judicial officer may check different boxes depending on the evidence at the hearing.

3. Evaluation: the judge will complete this section after the hearing.

Page 3

Respondent check box

If the court finds a mental health evaluation or a chemical dependency evaluation is appropriate, the court will fill in this section.

Federal and Washington State Computer-Based System Data Entry

If granted by the court, the order will be entered into a state-wide and federal database used by law enforcement so any officer knows of it. Name the agency which has jurisdiction where respondent resides:

- If respondent's address is within city limits, name the city police.
- If respondent's address is outside of city limits, name the county sheriff.

Service of Court Documents

The respondent must know about this order and that the court has ordered him or her to surrender all firearms and any concealed pistol license and has prohibited him or her from obtaining or possessing them for one year. The respondent must also know when, where, and why the next hearing will be held.

Copies of this order must be served on the respondent. Service must be by personal delivery unless the court orders service by publication or mail. You cannot deliver the copies to the respondent yourself. Service may be by:

- A law enforcement officer, at no charge;
- A professional process server that you hire; or
- A person 18 or over who is not a party to this action.

If law enforcement serves the order, identify the police or sheriff's department where the respondent lives. The copies will be forwarded to that agency to serve on the respondent.

- If the respondent's service address is within city limits, name the city police.
- If the respondent's service address is outside of city limits, name the county sheriff.

You will need to provide an address where the respondent can be located for service. You will also need to provide a physical description of the respondent. To provide this information, complete the *Law Enforcement Information – Extreme Risk Protection Order (LEIS)*, form XR 105.

Sign the Form

The judge will fill in the date and time when the order is granted and sign his or her name.

Sign the bottom of the form where it says "Signature of Petitioner/Attorney," and print your name to the right of your signature.